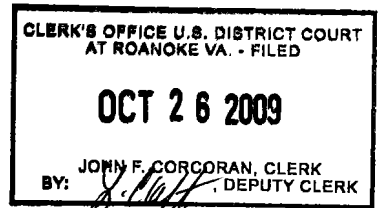


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



ANTHONY MALIK BROWN,
Plaintiff,

v.

GENE JOHNSON, et al.,
Defendant.

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Civil Action No. 7:09-CV-00429

FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that this action shall be and hereby is **DISMISSED** as frivolous, pursuant to 28 U.S.C. § 1915A(b)(1), plaintiff's motion for leave to proceed in forma pauperis [Docket #5] is **DENIED as MOOT**, and this case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a copy of this Order and accompanying Memorandum Opinion to plaintiff.

ENTER: This 26th day of October, 2009.

United States District Judge